

Robert Perry
2579 Overlook Place
Baldwin, NY 11510
516-456-7718

United States District Court
Eastern District Of New York
100 Federal Plaza
Central Islip, NY 11722

October 25, 2021

RE: PLAINTIFF'S OPPOSITION BRIEF DEFENDANT, (PT 2)

Dear Judge Azrack,

Plaintiff reached out to Pro Se Legal Assistance, PSLAP@Hofstra Law. Madison mentioned that the Defendant's are opposing the Plaintiff's complaint regarding the Settlement Agreement that was signed **UNDER DURESS & COERCION** during the time the Plaintiff was seriously threatened by the Defendants.

There were numerous times when the defendant's threatened the Plaintiff by yelling at him and intimidating him with lies.

One of the lowest degrading assignments were placing the Plaintiff in the hallway with no chair while his student was in the classroom. During that time the plaintiff had to peek in the window of the class rooms every so often to make sure the student was ok and then to get the students attention to go to the next class. I was then accused of being a Peeping Tom. A Peeping Tom?! I was trying to do my job! Bullying tactics were also used.

The other degrading times was in the office of W. Ebanks meeting with Shayma from the copy/ teachers room & Phyllis O'Shea, Union Rep. It was horrific and explained in Exhibit_1__.

Then the meeting in W. Ebanks office with Irene Davison Exhibit__G__.

The other repulsive meeting was in the conference room at District office, with both Dr. Woodbury, Wayne Ebanks and Union Rep Lori Levine. Explained in Exhibit __D__. After the HOSTILE shortened meeting, Lori and I were walking down the hallway exiting Lori said he was beyond angry. I looked behind us and Dr. Woodbury was following us out. I was explaining the truth to him in the meeting about the **bus incident** and he didn't want to hear facts. His volume, negative tone and behavior was very heated and intimidating. We were both shaken.

There were times when the defendants wrote up a report and the Plaintiff was not comfortable signing it, but was forced to sign it. There was a couple he did not sign, but the ones he did he added a note that though he did he was coerced and was not in agreement with what was written. The Settlement agreement was the same if not more reason NOT to sign and was done during being under Coercions due to the Defendants' **hostile** behavior.

Justice has to be served

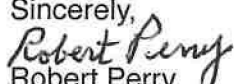
Sincerely,

Robert Perry

Exhibit C

HALF HOLLOW HILLS CENTRAL SCHOOL DISTRICT

EVALUATION FOR NON-TEACHING PERSONNEL

PARAPROFESSIONALS

Name Robert Perry School HSW Date June 22, 2018

Ratings: Check (✓)

S = Satisfactory

NI = Needs Improvement

U = Unsatisfactory

NA = Not Applicable

	S	NI	U	NA
1. Relationship with children	✓			
2. Relationship with parents and other adults				✓
3. Relationship with teachers		✓		
4. Relationship with co-workers		✓		
5. Relationship with administrators	✓			
6. Appearance (neatness, etc.)	✓			
7. Punctuality	✓			
8. Attendance	✓			
9. Initiative	✓			
10. Quality of work				
11. Quantity of work	✓			
12. Use and care of equipment	✓			
13. Overall attitude		✓		

Written Comment:

Mr. Perry has had some difficulty working with staff at HSW and at Wilson Tech. It is vital that Mr. Perry make a sincere effort to improve and build a better working relationship with staff at both locations. Mr. Perry must have a better attitude with teachers, especially when given directives.

Total Rating - Check (✓) one:

Satisfactory	Needs Improvement	Unsatisfactory
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Evaluator's Signature [Signature] Position AP Date June 22, 2018

Reviewed by [Signature] Position AP Date 6/24/18

Signature of Person Evaluated Robert Perry

(Use back for additional comments.)

(I do not agree with some of the comments above)

Exhibit D

You denied saying anything inappropriate. One para said that you made a comment about her contacting you if she decides to leave her husband. You denied that. You offered that you informed that para that you were a personal trainer and claimed that she responded, "Will you train me." You emphasized that it was more than what she said, but the way that she said it.

Another situation occurred one day as a result of a problematic relationship with you and a teacher. You said you did not want to go into the teacher's classroom because there was tension and you were not communicating effectively. Arrangements were made for another para to accompany your student in class that day and you were instructed to get the class notes for the student and give them to him before his midterm. You acknowledged that you neglected to get the notes to the student.

The complications with relating to co-workers appropriately extend beyond High School West. It was reported that teachers and paras at Wilson Tech – Manor Plains have asked that you not be assigned to students attending classes there. Similar claims were made in reference to you making inappropriate comments.

Mr. Ebanks and Mrs. Melfi said that they met with you, along with a union representative- Ms. Votta, last school year regarding these concerns including co-workers feeling uncomfortable with your comments, being non-responsive to teachers' instructions, not monitoring your students properly, and using your phone during class time. You said you do not recall that meeting.

You told us that one of the paras who made allegation about you approached you in January, on an afterschool bus, and apologized for accusing you of making her feel uncomfortable. You claimed that she said she was put up to it by three other paras. You also said you shared this with a union representative but did not feel compelled to report it to administration. I told you I will follow up on that allegation.

The behaviors that are described above must not occur moving forward. You must supervise and work with your 1:1 students properly, refrain from using your cell phone in the classroom during class time, be responsive to teachers' directives in the classroom, and avoid making comments that might make others feel uncomfortable including discussions of personal relationships and physical appearance. As I stated in the meeting, failure to comply with these reasonable expectations will be grounds for disciplinary action, up to and including a Section 75 Hearing.

Sincerely,

Jeffery Woodberry
Assistant Superintendent
For District-wide Administration

cc: Wayne Ebanks, Michelle Melfi, Lori Levine

I acknowledge receipt of this letter and understand that it will be placed in my personnel file.



Recipient's Signature

2/8/18
Date

525 Half Hollow Road • Dix Hills, New York 11746
(631) 592-3025 • Fax (631) 592-3906 • Email: jwoodberry@hhh.k12.ny.us

*I Am 100% not in agreement with contents herein, but
acknowledge receipt of this document RP.*



Exhibit E

HALF HOLLOW HILLS CENTRAL SCHOOL DISTRICT
EVALUATION FOR NON-TEACHING PERSONNEL
PARAPROFESSIONALS

Name ROBERT PERRY School HIGH SCHOOL WEST Date JUNE 2014

Ratings: Check (✓)

S = Satisfactory

NI = Needs Improvement

U = Unsatisfactory

NA = Not Applicable

	S	NI	U	NA
1. Relationship with children	✓			
2. Relationship with parents and other adults	✓			
3. Relationship with teachers		✓		
4. Relationship with co-workers	✓			
5. Relationship with administrators	✓			
6. Appearance (neatness, etc.)				
7. Punctuality	✓			
8. Attendance	✓			
9. Initiative		✓		
10. Quality of work		✓		
11. Quantity of work		✓		
12. Use and care of equipment				✓
13. Overall attitude		✓		

Written Comment: *Since our meeting earlier this year Mr. Perry has complied with the directives of reporting to the main office when his student is absent. However Mr. Perry needs to take more initiative and be willing to follow basic*

Total Rating – Check (✓) one:

turn →

Satisfactory	<u>Needs Improvement</u>	Unsatisfactory
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[Signature]
 Evaluator's Signature

[Signature]
 Position

June 25, 2014
 Date

[Signature]
 Reviewed by

Principal
 Position

6/26/14
 Date

Signature of Person Evaluated (Use back for additional comments.)

(This form to be handwritten by Administrator in charge of Department of Education)

Exhibit G

HALF HOLLOW HILLS CENTRAL SCHOOL DISTRICT
OF HUNTINGTON AND BABYLON
HALF HOLLOW HILLS HIGH SCHOOL WEST

Wayne A. Ebanks
Assistant Principal

Office (631) 592-3205
Fax (631) 592-3923

Mr. Robert Perry
Half Hollow Hills - High School West
375 Wolf Hill Road
Dix Hills, NY 11721

February 15, 2018

Dear Mr. Perry,

This letter is to memorialize the meeting that was conducted in my office on February 12, 2018. Present at the meeting was you, Mrs. Irene Davison - HSW Paraprofessional Building Representative and me. The purpose of the meeting was to discuss your performance as a PM bus monitor for our Life Skills after-school program.

It was reported to me that due to your motion sickness you were unable to properly assist in supervising our special needs students riding on the 4PM dismissal bus. You were often observed by several other paraprofessionals on the bus with your head down. They noted that you were unable to move from your seat in the front of the bus to assist in managing students having behavior episodes, and that you were also unable to escort students off the bus.

You admitted that you do suffer from motion sickness. You also stated that the observations of your peers were inaccurate. You added that you did assist in supervising students and did move about the bus when needed.

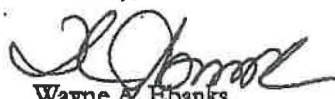
I then stated that based on the information I received, and for the safety of all individuals on the bus, including you, that I found it necessary to remove you from your role as a PM bus monitor. It appears that your motion sickness hindered you from properly and actively supervising students on the bus. I stressed that you could continue to work after-school in the building supervising our Life Skills students during their club activities.

You immediately responded by telling me that earlier that morning, and before our meeting, you informed Mrs. Nancy Pakumbo, our after-school club supervisor, that you were no longer able to work after-school. I repeated what you stated and you again reiterated the statement, you were no longer able to work after-school.

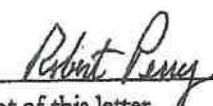
It was agreed that as of Monday, February 12, 2018, that you, Mr. Robert Perry, made the decision to no longer work as a paraprofessional in our Life Skills after-school program. Also, note that your decision was made prior to our meeting.

I thank you for the time you committed to our students and our Life Skills after-school program.

Sincerely,


Wayne A. Ebanks

Mr. Robert Perry


I acknowledge receipt of this letter.

Cc: Michelle Melfi

Irene Davison

I am noting that on Mon. 12th I wasn't clear enough as to why I wasn't going to be available
And the reason is - I was not comfortable working with para Jennifer Pakumbo.



Exhibit 1

Tuesday, March 31, 2020

Rebuttal regarding RETALIATION, DISCRIMINATION, INTIMIDATION, THREATS, BASED ON RACE to Division Of Human Rights against HHHCSO Case No. 10205463

ATT: Aimee May, Human Rights Specialist I

Here we go again!

It has been months since I submitted my complaint regarding the nasty, unprofessional, dispicable, hurtful actions that Assistant Superintendent, Dr. Jeffrey Woodberry and Assistant Principal, Mr. Wayne Ebanks of Half Hollow Hills Central School District has put me through for years. Once again I have to **re-live all the abuse** that they dragged me through, **defamating my character anyway they could.**

Again, I have to explain and rehash everything like a broken record during this grueling process, just as the last case regarding the unemployment insurance that I was requesting and entitled for which Half Hollow Hills School District was fighting me. The final outcome was in my favor to prove my innocence.

Why did they do this in the first place?

I, the complainant, addressed the administrator, Dr. Woodberry, via counseling letter, regarding problems and issues that needed to be addressed and fixed in the workplace. I explained in detail regarding what occurred on the after school bus. Female, Mrs. Jennifer Palumbo walked from the back of the bus and approached me, as I sat in the first seat, passenger side. Mrs. Palumbo **apologized multiple times for falsely accusing** me of the sexual harassment many months prior. She even named a few paras that forced her to falsely accuse me, Filomena Crabtree, Linda (Renert?), Some still work there, others have left, Ex. Anna Murania, (**Ref, to video on the bus, January 2018, bus #17, Driver Elleen**, soon after the school break,) (Refer to Doc letter, Feb 12, 2018 Counsel letter to Dr. Woodberry).

On February 6, 2018 there was a meeting scheduled at 1pm. They had me and Lori Levine, (President & Union Rep) waiting in waiting room til 2:30pm. This was to build up anxiety and tension and wear on the psychological well-being of the victim, me. Dr. Woodberry and Mr. Ebanks changed the subject, smoke screened (hiding the truth) and other topics, (phones) that were also untrue. They wanted to take the focus off the very sensitive subject (topic), that Mrs. Palumbo admitted to her lies. When I was explaining

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the story of what happened on the bus, both Dr. Woodberry and Mr. Ebanks actions and tone became extremely negative toward me. With a very derogatory tone and very defensive Dr. Woodberry began to yell at me, defending Mrs. Palumbo. In other words, how dare me! Dr. Woodberry's conduct drastically got heated and extremely intimidating and hostile. The meeting ended abruptly, he could not even look at me. I believe because I am a white male, defending what I believe in he was treating me completely unfair. They both had no empathy regarding the true story that I shared and treated me with disgust. Because of what I experienced in the work place I was being persecuted for actions that I did not do, but because of Dr. Woodberry's and Mr. Ebanks' titles and race they believe they had leverage against me and bullied me. They both were the superiors in all of these scenarios.

When exiting, Union Rep Lori Levine stated in a whisper walking down the hallway, "He was not happy" She was nervous about his conduct.

With no doubt, I was treated **unfavorably**- they created a **hostile and offensive** work environment on a daily basis, not just in the meeting. The Assistant Principal, Mr. Ebanks and Assistant Superintendent, Dr. Woodberry created a false, dirty, paper trail against me. (the **time line** support this).

Many times other paras who were African American, used phones did not get penalized. There were many times I was NOT using my phone when I was falsely accused and penalized. There were times when (Chris & Mike?) biological brothers) also African American, as well another para Dave Simon, Briana Davis) would use their phones in the class room or else where with their students. Mr. Ebanks would witness this and he would ignore them.

This is what is called subtle forms of racial discrimination. Due to this form of racial discrimination I was subjected to **excessive performance monitoring and felt blamed due to my race**.

Mr. Ebanks continued this racial discrimination by changing my assignments. He claimed I was failing to get along with co-workers. Ex. Instead of me being inside the classroom with my student Mr. Ebanks changed my assignment to stay out in the hallway.

After this assignment I was assigned to the copy room. I was directed by Mr. Ebanks to shadow, follow and ask questions to Shaymaa, Shaymaa Abdelkader. I did mention to Mr. Ebanks and his secretary, Sandy that I was not familiar on how to work the copy machines. Mr. Ebanks, responded, (by laughing in a **derogatory fashion**) "**get used to it.**" This was once again, his goal was to aim to making me feel anxious, an

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assignment to set me up to fail. Another form of racial discrimination. This will be denied by them, but it is so obvious. (Ref to Exhibit)... I entered the copy room/teacher room and approached Shaymaa, introduced myself since we never did work together. She ignored me. I was being patient. She was constantly on her cell phone, speaking in her native language, I believe Arabic. I repeatedly asked her questions about the copy machines, because I was not familiar with them, but she refused to help me. I had no choice I returned to Mr. Ebanks office to explain what was happening. His answer was, "it is her **domain**". How was I supposed to work under such conditions? She would not work with me, she would not help me. Mr. Ebanks, said, "she is having difficulty, it's her culture,(Muslim)". Her culture? How does this come into play? We were working for the same cause, making copies and trouble shooting and fixing the machines.

A meeting was set up soon after in Mr. Ebanks office. Present was Union Rep,Phyllis O'Shea, Shaymaa, myself and Mr. Ebanks. We found out she did not like me. She would not give a reason. I was willing to work with her. Shaymaa refused to cooperate! She refused to work with me. Shortly after that I was removed from the copy room. (Exhibit___)

Why is there a double standard? When I did not feel comfortable working on the bus with Mrs. Palumbo because of the false accusations she made against me. It was stated,"I am a man, to get over it?" Mr. Ebanks did not remove her.

But when Shaymaa, from a different culture and race, refused to work with me, Mr. Ebanks removes me from the assignment. Why? This is racial discrimination, period.

Back to the bus

I,the complainant made it clear, both Union Reps,Irene Davison and Phyllis O'Shea were made aware of this incident on the bus, (refer to Exhibit...). Both stated, "Oh, you're a man, get over it!!" That early evening, I called both of them on my cell phone and explained to them what happened. Jen Palumbo apologized to me. She said she was forced to do it by co-workers. I explained to both reps that I asked Jen, "They forced you, did they have a gun to your head? (pause, silence) No.

The very next morning I saw Irene and Phyllis, (Union reps) they both told me again, "You're a man, get over it". I could not believe my ears. This is double standard, reverse discrimination.

Regarding the rest of the non-credible, false exhibits that the administration keep stating. Once again, my character has been completely tarnish by all of these.

Look at Exhibit F - not comfortable working with Mrs. Jennifer Palumbo on the bus.

Tuesday, March 31, 2020

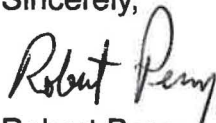
Look at Exhibit 2— regarding chocolate shaped penises that I was falsely accused of sending.

There is no doubt in my mind Dr. Woodberry and Mr. Ebanks will deny all of these hostile events that occurred. They fail at telling the truth, events that never even took place. Justice needs to prevail because this has gone on way too long. Dr. Woodberry and Mr. Ebanks need to be held accountable for all their false and negative actions and lies and have to stop retaliations, intimidations, discrimination based on their race and titles. When an employee files legitimate complaints about hostile and offensive workplace regarding verbal and non verbal actions, the investigation needs to be done appropriately and people involved need to be accountable for their actions. Double standards has to be stopped.

Regarding witnesses- Many employees were afraid because they didn't want to be forced out, as I was, and lose their jobs. My goal was to address the issues, fix them, not to end my position, resulting in being unemployed. Every day we entered into an extreme toxic work environment.

In conclusion- This all originated because I wrote a letter reaching out for help regarding the hostile and offensive work environment. No words can express on how I felt by their retaliations, their intimidating tactics, their manipulated behavior, their verbal derogatory fashion by using their titles and their race to benefit their mission.

Sincerely,


Robert Perry